

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 431

Use of the Plenary Powers to secure that the generic name
Helicella Férussac, 1821 (Class Gastropoda) shall be
available for use in its accustomed sense

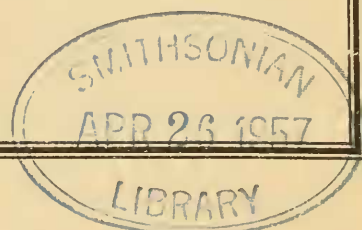
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 431

USE OF THE PLENARY POWERS TO SECURE THAT THE GENERIC NAME "HELICELLA" FERUSSAC, 1821 (CLASS GASTROPODA) SHALL BE AVAILABLE FOR USE IN ITS ACCUSTOMED SENSE

RULING :—(1) The following action is hereby taken under the Plenary Powers :—

- (a) The generic name *Jacosta* Gray (J.E.), 1821, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.
- (b) All selections of type species for the genus *Helicella* Férussac, 1821 (Class Gastropoda) made prior to the present Ruling are hereby set aside and the nominal species *Helix itala* Linnaeus, 1758, is hereby designated to be the type species of the foregoing genus.

(2) It is hereby ruled that the gender to be attributed to the generic name *Oxychilus* Fitzinger, 1833, is the masculine gender.

(3) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Numbers severally specified below :—

- (a) *Helicella* Férussac, 1821 (gender : feminine) (type species, by designation under the Plenary Powers under (1)(b) above : *Helix itala* Linnaeus, 1758) (Name No. 1024) ;

- (b) *Monacha* Fitzinger, 1833 (gender : feminine) (type species, by selection by Gray (J.E.) (1847) : *Helix cartusiana* Müller (O.F.), 1774) (Name No. 1025) ;
- (c) *Oxychilus* Fitzinger, 1833 (gender : masculine) (type species, by selection by Herrmannsen (1847) : *Helix cellaria* Müller (O.F.), 1774) (Name No. 1026) ;
- (d) *Theba* Risso, 1826 (gender : feminine) (type species, by selection by Gray (J.E.) (1847) : *Helix pisana* Müller (O.F.), 1774) (Name No. 1027).

(4) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Numbers severally specified below :—

- (a) *cartusiana* Müller (O.F.), 1774, as published in the combination *Helix cartusiana* (specific name of type species of *Monacha* Fitzinger, 1833) (Name No. 1044) ;
- (b) *cellaria* Müller (O.F.), 1774, as published in the combination *Helix cellaria* (specific name of type species of *Oxychilus* Fitzinger, 1833) (Name No. 1045) ;
- (c) *itala* Linnaeus, 1758, as published in the combination *Helix itala* (specific name of type species of *Helicella* Férussac, 1821) (Name No. 1046) ;
- (d) *pisana* Müller (O.F.), 1774, as published in the combination *Helix pisana* (specific name of type species of *Theba* Risso, 1826) (Name No. 1047).

(5) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Numbers severally specified below :—

- (a) *Jacosta* Gray (J.E.), 1821, as suppressed under the Plenary Powers under (1)(a) above (Name No. 735) ;
- (b) *Planatella* Clessin, 1876 (a junior objective synonym of *Helicella* Férussac, 1821, as defined under the Plenary Powers under (1)(b) above) (Name No. 736) ;
- (c) *Xerophila* Held, 1837 (a junior objective synonym of *Theba* Risso, 1826) (Name No. 737) ;
- (d) *Euparypha* Hartmann, 1844 (a junior objective synonym of *Theba* Risso, 1826, the nominal species which are the respective type species of the foregoing genera being based upon the same type specimen) (Name No. 738) ;
- (e) *Helicella* Lamarck, 1812 (a cheironym cited by Chenu (1859)) (Name No. 739).

(6) The under-mentioned specific name is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name Number 360 :—*rhodostoma* Draparnaud, [1801], as published in the combination *Helix rhodostoma* (a junior objective synonym of *pisana* Müller, 1774, as published in the combination *Helix pisana*).

(7) The under-mentioned family-group name is hereby placed on the *Official List of Family-Group Names in Zoology* with the Name Number 91 :—HELICELLINAE Hesse, 1926 (type genus : *Helicella* Férussac, 1821).

(8) The under-mentioned family-group name is hereby placed on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* with the Name Number 76 :—HELICELLINAE Chenu, 1859 (a *nomen nudum*, because its type genus *Helicella* Lamarck, 1812, is a cheironym).

I. THE STATEMENT OF THE CASE

On 18th March 1946, Dr. Lothar Forcart (*Custos, Zoological Department, Naturhistorisches Museum, Basle, Switzerland*) submitted a preliminary application to the International Commission on Zoological Nomenclature designed to provide a firm foundation for the use of the generic name *Helicella* Férussac, 1821 (Class Gastropoda). This application was unfortunately one of those with which it had not been practicable for the Office of the Commission to make any progress before the Thirteenth International Congress of Zoology, Paris, 1948. Certain procedural decisions taken by that Congress, notably in connection with the establishment of *Official Lists* and *Official Indexes* necessarily involved some revision in all applications outstanding at that time. In the present case the required revision was completed by Dr. Forcart on 13th September 1950, on which date he submitted the following application for the consideration of the International Commission :—

**Proposed validation, under the Plenary Powers, of the generic name
“ *Helicella* ” Férussac, 1821 (Class Gastropoda)**

By LOTHAR FORCART

(*Custos, Zoological Department, Naturhistorisches Museum, Basel, Switzerland*)

I hereby make application to the International Commission on Zoological Nomenclature for a Ruling on the following question :—

Are the “ Explications ” for plates 1 to 47 of Férussac’s *Histoire naturelle et particulière des Mollusques terrestres et fluviatiles*, which were published on 6th April 1821 with *Livraison 9* of the foregoing work, to be taken into account for nomenclatorial purposes under the provisions of the *Règles* ?

2. If the answer to the foregoing question is in the affirmative, I desire to ask that the Commission should use its Plenary Powers to suppress these “ Explications ” for nomenclatorial purposes, in view both of the confusion and disturbance in nomenclature which their acceptance would involve and also of the extreme rarity of these “ Explications ” which consequently makes them inaccessible for study by the great majority of workers.

3. The facts in regard to this matter are as follows : A. S. Kennard (1942 : 12—17, 105—118) published particulars of the exact dates of publication of the *Livraisons* in which were published the successive instalments of Férussac's *Histoire naturelle et particulière des Mollusques terrestres et fluviatiles*, together with that author's *Tableaux systématiques des Animaux Mollusques*. In the paper referred to above Kennard showed that *Livraison* 9 was published on 6th April 1821 and contained (1) the "Explications" to plates 1 to 47 of the *Histoire naturelle*, and (2) pages 1 to 32 of the "Tableau systématique de la Famille des Limaçons, Cochlea" (edition containing six pages of "Avertissement", which forms a part of Férussac's *Tableaux systématique des Animaux Mollusques*).

4. The "Explications" to plates 1 to 47 issued with *Livraison* 9 do not form an integral part either of the *Histoire naturelle* or of the *Tableaux systématiques des Animaux Mollusques*. They were no more than a provisional explanation of the plates in question, distributed only to those persons who were subscribers to Férussac's work as it appeared in parts. They were not included in the copies of the completed work sold after the last part had been issued. In these circumstances, it is not surprising that copies of these "Explications" are extremely scarce. Indeed, so far as I am aware, there are only two such copies now extant. One of these is in the library of the United States National Museum in Washington ; the other is in the possession of A. S. Kennard at Beckenham (Kent, England).

5. Prior to the publication in 1941 of Kennard's paper, no reference had ever been made in the literature to these "Explications", the existence of which was therefore quite unknown.

6. The acceptance, for nomenclatorial purposes, of the "Explications" to plates 1—47, if that were permitted, would involve confusing changes in zoological nomenclature, consequent upon the alteration which would be involved in the type species of the genus *Helicella* Férussac, 1821 (Class Gastropoda, Order Stylommatophora) which would thereby be involved. The position in this matter is as shown in the following paragraphs.

7. The generic name *Helicella* was published by Férussac on page 28 of the *Tableau syst. des Limaçons* with a diagnosis but without any included species cited by name. This page, as explained above appeared in *Livraison* 9. In the "Explications" to plates 1—47, published in the same *Livraison*, Férussac employed the generic name *Helicella* for two species, namely (1) "*Helicella (Heliomanes) subdentata* Nobis" (pl. 27, figs. 1 & 2) and "*Helicella (Heliomanes) planata* Chemnitz" (pl. 30, fig. 2).

8. The first author to select a type species for the genus *Helicella* Férussac, 1821, was A. N. Herrmannsen who in 1847 (1 : 507) so

selected *Helix ericetorum* Müller, 1774. This species was included by Férussac in the genus *Helicella* on page 48 of the *Tableau syst. des Limaçons* (species no. 281), which is now known to have been published in *Livraison* 10 on 26th May 1821; as already explained no species had been cited for this genus in the portion of the text which was included in *Livraison* 9, where this generic name first appeared. Under the provisions of *Opinion* 46 (since clarified by the Thirteenth International Congress of Zoology at Paris in 1948, as shown in *Bull. zool. Nomencl.* 4 : 159—160, 346), Herrmannsen was perfectly entitled to select *Helix ericetorum* as the type species of the genus *Helicella* Férussac, that genus having been established without any cited included species, provided that it is granted that the passage relied upon by Herrmannsen is the first place where the name *Helicella* was validly published, i.e. provided that it is permissible to ignore the “Explications” to plates 1—47.

9. On the other hand, Kennard (1941 : 265), who treated the “Explications” as the first place where the generic name *Helicella* Férussac was published, considered that the only species eligible for selection as the type species of this genus were the two species there cited under this generic name (in explanation respectively of plates 27 and 30). From these species he selected *Helicella subdentata* Férussac, 1821, as the type species of this genus.

10. The species *Helicella subdentata* Férussac is currently treated by specialists as belonging to the genus *Theba* Risso, 1826 (type species : *Helix pisana* Müller, 1774). Kennard's selection of this species as the type species of *Helicella* Férussac is perfectly valid, if it is granted that the “Explications” are available for nomenclatorial purposes. On the other hand, the acceptance of Kennard's action would lead to a most confusing transfer of the generic name *Helicella* Férussac, for instead of comprising as at present *Helix ericetorum* Müller and its allies, it would in future comprise *Helix pisana* Müller; the generic name *Theba* Risso would thus become a junior synonym of *Helicella* Férussac, while the generic name *Planatella* Clessin, 1876 (type species : *Helix ericetorum* Müller, 1774) would need to be brought into use for the genus now universally known by the name *Helicella* Férussac.

11. I accordingly ask the International Commission to use its Plenary Powers to prevent this unnecessary confusion from arising. The desired object could be obtained by the employment of those Powers either (1) to suppress the “Explications” for nomenclatorial purposes or (2) while leaving the “Explications” available, to designate *Helix ericetorum* Müller, 1774 (or, preferably, its senior subjective synonym, *Helix itala* Linnaeus, 1758), as the type species of *Helicella* Férussac, 1821. In either case the result would be the same, since it is only in the case of the generic name *Helicella* that the acceptance of the “Explications” involves a change in current nomenclatorial practice. The International Commission may feel that, as the present application

is concerned only to prevent the confusion which would arise if it were necessary to accept *Helicella subdentata* Férussac as the type species of the genus *Helicella* Férussac, the most convenient course would be to adopt the second of the two alternatives outlined above. In that case, I ask that the International Commission should :—

(1) use its Plenary Powers :—

- (a) to set aside all type selections for the genus *Helicella* Férussac, 1821, made prior to the proposed decision ;
- (b) to designate *Helix itala* Linnaeus, 1758, to be the type species of the foregoing genus ;

(2) place the under-mentioned generic names on the *Official List of Generic Names in Zoology*, with the type species specified below :—

- (a) *Helicella* Férussac, 1821 (gender : feminine) (type species, as designated under Plenary Powers under (1)(b) above : *Helix itala* Linnaeus, 1758) ;
- (b) *Theba* Risso, 1826 (gender : feminine) (type species, designated by Gray 1847 (*Proc. zool. Soc. Lond.* **15** : 173) : *Helix pisana* Müller, 1774) ;

(3) place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :

- (a) *itala* Linnaeus, 1758, as published in the combination *Helix itala* ;
- (b) *pisana* Müller, 1774, as published in the combination *Helix pisana*.

References

- Férussac, 1821—1822, *Tableaux systématiques des Animaux Mollusques classés en familles naturelles*. Paris et Londres
- Férussac, 1820—1851, *Histoire naturelle générale et particulière des Mollusques terrestres et fluviatiles*. Paris
- Herrmannsen, A. N., 1846—1847, *Indicis Generum Malacozoorum Primordia*. Cassellis
- Kennard, A. S., 1941, "List of British non-marine Mollusca", *J. Conch.*, London **21** : 260—274
- Kennard, A. S., 1942, "The *Histoire* and *Prodrome* of Férussac", *Proc. malac. Soc. Lond.* **25** : 12—17, 105—118

2. Supplementary application regarding the generic name " *Helicella* " Férussac, 1821 submitted by Mr. A. E. Ellis (Epsom) and Mr. R. Winckworth (London) in 1950 : On 20th March 1950 (i.e. before the final completion of the paper by Dr. Forcart reproduced in paragraph 1 above), Mr. A. E. Ellis (*Epsom College, Epsom, England*) forwarded to the Office of the Commission on behalf of himself and Mr. R. Winckworth (*London*) a proposal regarding the generic name *Helicella* Férussac independent of the application submitted by Dr. Forcart but having in general the same aim. The joint application by Mr. Ellis and Mr. Winckworth was as follows :—

Proposed use of the Plenary Powers to preserve the generic name
" *Helicella* " Férussac, 1821 (Class Gastropoda) for use in
its accustomed sense

By A. E. ELLIS

(*Epsom College, Epsom, England*)

and

R. WINCKWORTH

(*London, England*)

The purpose of the present application is to ask the International Commission on Zoological Nomenclature to use its Plenary Powers for the purpose of preserving the generic name *Helicella* Férussac, 1821 (Class Gastropoda) for use in its accustomed sense.

2. The following is a summary of the generic names discussed in the present application :—

(1) *Euparypha* Hartmann, 1844, *Erd- u. Süßwasser-Gasteropoden* : 204 (type species, by monotypy : *Helix rhodostoma* Draparnaud, [1801] (= *Helix pisana* Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.* 2 : 60)

(2) *Helicella* Férussac, 1821, *Tableaux systématiques des Animaux Mollusques . . . suivis d'un Prodrome général pour tous les Mollusques terrestres et fluviatiles, vivants ou fossiles* : 28 (Livraison 9) (this work is cited by the author as *Prodrome Limaçons* or as *Prodrome Limaces*) ; *Histoire naturelle, générale et particulière des Mollusques terrestres et fluviatiles*, Explic. Planches 1—47 (type species, by selection by Kennard, 1941 (*J. Conch.* 21 : 265) : *Helicella subdentata* Férussac, 1821). (There is also an alleged invalid selection by Herrmannsen, May 1847

(*Indicis Generum Malacozoorum Primordia* 2 : 507) of *Helix ericetorum* Müller (O.F.), 1774 (*Verm. terrestr. fluviat. Hist.* 2 : 33), a junior subjective synonym of *Helix itala* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 772). In addition, there is a subsequent, also invalid, selection by Gray (J.E.), Nov. 1847 (*Proc. zool. Soc. Lond.* 15 : 174) of *Helix cellaria* Müller (O.F.), 1774 (*Verm. terrestr. fluviat. Hist.* 2 : 28) as the type species of this genus.)

(3) *Jacosta* Gray (J.E.), March 1821, *London Medical Repository* 15 : 239 (type species, by monotypy ; *Helix albella* Draparnaud, [1801], *Tabl. Moll. terrestr. fluviat. France* : 90 (= *Helix explanata* Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.* 2 : 26)).

(4) *Monacha* Fitzinger, 1833, *Beiträge zur Landesk. Oesterreich's unter der Enns* 3 : 95 (type species, by selection by Gray (J.E.), 1847 (*Proc. zool. Soc. Lond.* 15 : 173) : *Helix cartusiana* Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.* 2 : 15).

(5) *Oxychilus* Fitzinger, 1833, *Beiträge zur Landesk. Oesterreich's unter der Enns* 3 : 100 (type species, by selection by Herrmannsen, May 1847 (*Indic. Gen. Malacoz. Primordia* 2 : 183) : *Helix cellaria* Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.* 2 : 28).

(6) *Planatella* Clessin, 1876, *Deutsche Excursions-Mollusken-Fauna* : 143 (type species, by monotypy : *Helix itala* Linnaeus, 1758, *Syst. Nat.* (ed.10) 1 : 772).

(7) *Theba* Risso, 1826, *Histoire naturelle des principales Productions de l'Europe méridionale* 4 : 73 (type species, by selection by Gray (J.E.), 1847 (*Proc. zool. Soc. Lond.* 15 : 173) : *Helix pisana* Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.* 2 : 60).

(8) *Xerophila* Held, 1837, *Isis* (Oken) 30(12) : 913 (type species, by selection by Herrmannsen, 1849 (*Indic. Gen. Malacoz. Primordia* 2 : 712) : *Helix pisana* Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.* 2 : 60). (There is also a later—invalid—selection by Martens, 1860 (*in* Albers, *Die Heliceen*) of *Helix ericetorum* Müller (O.F.), 1774 (= *Helix itala* Linnaeus, 1758) as the type species of this genus).

3. The genus *Helicella* Férussac, 1821, contains a large assemblage of species of snails, chiefly of the families ZONITIDAE and HELICIDAE (Subclass Pulmonata, Order Stylommatophora). For over fifty years the name has been in general use in the literature for the group typified by *Helix itala* Linnaeus, 1758, and we believe this use of the name is acceptable to the majority of workers. It has, however, been used for other groups, and a brief history of the name is given below.

4. Both the *Prodrome* and *Histoire* of Férussac appeared in parts. *Helicella* was published on 6th April 1821 (*Prodrome*, livr. 9) with a diagnosis but with no cited nominal species, and on the same date (*Histoire*, explication des planches) the species *Helicella subdentata*

Férussac and *H. planata* (Chemnitz) are listed with reference to the figures. In the next livraison of the *Prodrome*, published on 26th May 1821, the full list of 164 species assigned to *Helicella* with references appeared. These facts were not known to recent workers until published by Kennard, 1942 (*Proc. malac. Soc. Lond.* **25** : 115). In 1941 Kennard (*J. Conch.* **21** : 265) selected *Helicella subdentata* Férussac as the type species of *Helicella* Férussac, 1821, thus transferring the use of the name to the group of *Helix pisana* Müller, 1774, an entirely new and confusing usage, and introduced (*loc. cit.* : 264) the little-known name *Planatella* Clessin, 1876, for *Helix itala* Linnaeus, 1758. Before this, *Helicella* Férussac had been very widely used for the group of *Helix itala* Linnaeus, of which *Helix ericetorum* Müller is a junior synonym, following Herrmannsen's selection (invalid according to Kennard but defended by some authors) in May 1847 of this species as the type species of *Helicella* Férussac, as restricted by Hartmann, 1842 (*Erd- und Süßwasser-Gasteropoden*, 143), while a very few authors had used *Helicella* for the group of *Helix cellaria* Müller, 1774, following Gray's type selection in November 1847. These two points of view are discussed by Pilsbry, 1922 (*Proc. malac. Soc. Lond.* **15** : 39) and by Kennard and Woodward (*Proc. malac. Soc. Lond.* **15** : 49). The transference of *Helicella* from the group of *H. itala* to that of *H. pisana* is adversely criticised by Watson, 1943 (*J. Conch.* **22** : 60), who emphasises the valid selection of *Helix itala* Linnaeus as the type species of *Helicella* Férussac by Herrmannsen, 1847.

5. If *Helix itala* Linnaeus is accepted as the type species of *Helicella* Férussac, then *Theba* Risso, 1826, and *Oxychilus* Fitzinger, 1833, come into use for the groups of *Helix pisana* Müller and *Helix cellaria* Müller respectively. *Oxychilus* Fitzinger is already in general use for the genus of ZONITIDAE typified by *Helix cellaria* Müller, though *Theba* Risso until recently has been usually applied to the genus of HELICIDAE typified by *Helix cartusiana* Müller, *Euparypha* Hartmann, 1844, being used for the group of *Helix pisana* Müller. For *Helix cartusiana* Müller and its allies the generic name *Monacha* Fitzinger, 1833, originally proposed for *Helix sericea* Müller, *H. incarnata* Müller and *H. carthusianella* Draparnaud (= *H. cartusiana* Müller), is available and has now come into use.

6. The generic name *Xerophila* Held, 1837, has been used for *Helix itala* Linnaeus by some authors, e.g. Taylor, 1921 (*Monograph of the Land and Freshwater Mollusca of the British Isles* **4** : 112) and Kennard and Woodward, 1926 (*Synonymy of the British non-marine Mollusca* : 213), following the selection of *Helix ericetorum* Müller, 1774 (= *H. itala* Linnaeus, 1758) as type species by Martens, 1860, but *Helix pisana* Müller, 1774, had previously been selected as the type species of *Xerophila* Held by Herrmannsen, 1849, so *Xerophila* Held, like *Euparypha* Hartmann, is a junior synonym of *Theba* Risso, 1826.

7. The name *Jacosta* Gray, March 1821, was published as a subgenus for *Helix albella* Draparnaud (*non* Linnaeus) (= *H. explanata* Müller, a species which is at least subgenerically distinct from *Helix itala* Linnaeus, though probably most systematists would consider them congeneric). The name is conjectured to be a typographical error (such as abound in Gray's writings) for *Dacosta*, after the 18th century conchologist, E. M. da Costa. *Jacosta* Gray has one month's seniority over *Helicella* Férussac, so a rigid application of the Law of Priority would necessitate its adoption for this group, with a consequent change in the subfamily name (family of some authors). Such a change, involving the replacement of the widely used and familiar name *Helicella* by the obscure and ill-conceived name *Jacosta*, would introduce undesirable confusion and instability into the nomenclature of the group, and the suppression of *Jacosta* Gray is urged in the best interests of taxonomy.

8. While fully recognising that under the *Règles* Kennard's action in selecting *Helicella subdentata* Férussac as the type species of the genus *Helicella* Férussac was correct, we consider that the confusion and instability which would result from the change in the application of this generic name as a consequence of the acceptance of Kennard's selection is altogether too heavy a price to pay in the service of the Law of Priority.

9. Before summarising the proposals which we desire to submit to the Commission, we must add the following note regarding the gender attributable to the names which we recommend should now be placed on the *Official List of Generic Names in Zoology*. Of the four names concerned, three (*Helicella*; *Monacha*; *Theba*) are indisputably feminine in gender, and it is only the fourth (*Oxychilus*) as regards which any question arises. Fitzinger, when introducing this name, placed four species in this genus, namely:—*O. lucidus* (Draparnaud); *O. cellaria* (Müller); *O. nitidulus* (Draparnaud); *O. ericetorum* (Müller). The last name, being a noun in the genitive plural, has no bearing on the present problem. Of the first three specific names, Fitzinger gave a feminine termination to one and a masculine termination to two. He was therefore inconsistent in his treatment of these names. It is probable, however, that he intended the name *Oxychilus* to be a masculine word and that it was through inadvertence that he omitted to change to *-us* the termination used by Müller for the second of the names concerned (*cellaria*). On etymological grounds the word *Oxychilus*, being a compound word derived from the Greek and having the word meaning lip as its termination, should be a neuter word. In the circumstances we recommend that this generic name should be treated as of the neuter gender. [*Later Note*: Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, a generic name consisting of a compound word derived from the Greek and having the termination “-cheilus” (or “-chilus”) is to be

treated as being a neuter word (1953, *Copenhagen Decisions zool. Nomencl.* : 51, Decision 84(7)(c)(i)). Thus, the recommendation submitted in the case of the name *Oxychilus* is seen to be in accord with the latest revision of the *Règles*.]

10. The genus *Helicella* Férussac was made the type genus of a subfamily HELICELLINAE by Schlesch in 1927 (*KorrespBl. Naturf.-Ver. Riga* 59 : 116). There is an older name HELICELLINAE Chenu, 1859 (*Manuel Conchyliol.* 1 : 421), but this must be regarded as being invalid, since Chenu based it upon the non-existent generic name “*Helicella* Lamarck, 1812”. Lamarck never published such a name, for he used only the vernacular word “*Helicelle*” (Lamarck, 1812, *Extrait Cours Zool. Anim. sans Vertèbr.* : 115).

11. In the light of the considerations advanced in the present application we now ask the International Commission on Zoological Nomenclature :—

(1) to use its Plenary Powers :—

- (a) to suppress the generic name *Jacosta* Gray (J.E.), 1821, for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (b) to set aside all type selections for the genus *Helicella* Férussac, 1821, made prior to the Ruling now asked for, and to designate *Helix itala* Linnaeus, 1758, to be the type species of the foregoing genus ;

(2) to place the under-mentioned generic names on the *Official List of Generic Names in Zoology* :—

- (a) *Helicella* Férussac, 1821 (gender : feminine) (type species, by designation under the Plenary Powers under (1)(b) above : *Helix itala* Linnaeus, 1758) ;
- (b) *Monacha* Fitzinger, 1833 (gender : feminine) (type species by selection by Gray (J.E.) (1847) : *Helix cartusiana* Müller (O.F.), 1774) ;
- (c) *Oxychilus* Fitzinger, 1833 (gender : neuter) (type species by selection by Herrmannsen (1847) : *Helix cellaria* Müller (O.F.), 1774) ;
- (d) *Theba* Risso, 1826 (gender : feminine) (type species by selection by Gray (J.E.), [1847] : *Helix pisana* Müller (O.F.), 1774) ;

- (3) to place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :—
- (a) *cartusiana* Müller (O.F.), 1774, as published in the combination *Helix cartusiana* (specific name of type species of *Monacha* Fitzinger, 1833) ;
 - (b) *cellaria* Müller (O.F.), 1774, as published in the combination *Helix cellaria* (specific name of type species of *Oxychilus* Fitzinger, 1833) ;
 - (c) *itala* Linnaeus, 1758, as published in the combination *Helix itala* (specific name of type species of *Helicella* Férussac, 1821) ;
 - (d) *pisana* Müller (O.F.), 1774, as published in the combination *Helix pisana* (specific name of type species of *Theba* Risso, 1826) ;
- (4) to place the under-mentioned generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—
- (a) *Jacosta* Gray (J.E.), 1821 (as suppressed under the Plenary Powers under (1) (a) above) ;
 - (b) *Planatella* Clessin, 1876 (a junior objective synonym of *Helicella* Férussac, 1821, as defined by the type designation under the Plenary Powers under (1) (b) above) ;
 - (c) *Xerophila* Held, 1837 (a junior objective synonym of *Theba* Risso, 1826) ;
 - (d) *Helicella* Lamarck, 1812 (a cheironym cited by Chenu, 1859) ;
- (5) to place the under-mentioned name on the *Official List of Family-Group Names in Zoology* : HELICELLINAE Schlesch, 1927 (type genus : *Helicella* Férussac, 1821) ;
- (6) to place the under-mentioned name on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* :— HELICELLINAE Chenu, 1859 (a *nomen nudum* because its alleged type genus, *Helicella* Lamarck, 1812, a cheironym).

II. THE SUBSEQUENT HISTORY OF THE CASE

3. Registration of the present application : Upon the receipt of Dr. Forcart's preliminary application in 1946 the question of the

action required to provide a firm foundation for the use of the generic name *Helicella* Férussac, 1821, was allotted the Registered Number Z.N.(S.) 214.

4. Publication of the present application : Dr. Forcart's application, together with the joint application submitted by Mr. Ellis and Mr. Winckworth, was sent to the printer on 13th October 1954 and both applications were published on 30th December in the same year in Part 9 of Volume 9 of the *Bulletin of Zoological Nomenclature* (Forcart, 1954, *Bull. zool. Nomencl.* **9** : 301—303 ; Ellis and Winckworth, *ibid.* **9** : 304—308).

5. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 30th December 1954 (a) in Part 9 of Volume 9 of the *Bulletin of Zoological Nomenclature* (the part in which Dr. Forcart's application and the joint application by Mr. Ellis and Mr. Winckworth were published) and (b) to the other prescribed serial publications. In addition, such Notice was given also to certain general zoological serial publications.

6. Support received : Support for the present applications was received from the following specialists :—(1) Horace B. Baker (*Zoological Laboratory, University of Pennsylvania, Philadelphia, U.S.A.*) ; (2) C. R. Boettger (*Zoologisches Institut der Technischen Hochschule Braunschweig, Braunschweig, Germany*) ; (3) Hugh Watson (*Cambridge, England*). The communications so received are reproduced in the immediately following paragraphs.

7. Support received from Professor Horace B. Baker (Zoological Laboratory, University of Pennsylvania, Philadelphia, U.S.A.) : On 16th February 1955, Professor Horace B. Baker (*Zoological Laboratory, University of Pennsylvania, Philadelphia, U.S.A.*) addressed the following letter to the Office of the Commission

in support of the present applications (Baker, 1955, *Bull. zool. Nomencl.* **11** : 231) :—

The proposed use of the Plenary Powers to preserve the generic name *Helicella* Férussac, 1821 (Class Gastropoda) for use in its accustomed sense, as discussed by A. E. Ellis and R. Winckworth in *Bull. zool. Nomencl.* **9**(10) : 304 *et seq.* is backed very heartily by me. Their presentation of the case is excellent. Dr. Forcart apparently forgot that *Jacosta* was prior.

8. Support received from Professor C. R. Boettger (Zoologisches Institut der Technischen Hochschule Braunschweig, Braunschweig, Germany) : On 17th March 1955, Mr. A. E. Ellis (one of the applicants in the present case) communicated to the Office of the Commission a letter dated 14th March 1955 which he had received from Professor C. R. Boettger (*Zoologisches Institut der Technischen Hochschule Braunschweig, Braunschweig, Germany*), in which that specialist had intimated his support as follows (Boettger, 1955, *Bull. zool. Nomencl.* **11** : 249) :—

Thank you very much, indeed, for the reprint of your paper on the proposed use of the Plenary Powers to preserve the generic name *Helicella* Férussac. I read it with great interest, agree with your proposal, and I hope that we shall soon have a useful nomenclature.

9. Support received from Mr. Hugh Watson (Cambridge) : On 31st March 1955, Mr. Hugh Watson (*Cambridge, England*) wrote to the Commission a letter commenting on a number of applications, among which was the present case. His remarks concerning this case were as follows :—

I strongly approve of the application of Winckworth and Ellis for the Commission to retain the name *Helicella* for the common European genus for which it is in general use and which has *H. itala* (Linnaeus) as its type species. Indeed this is much what I wrote twelve years ago in the papers quoted above (pp. 60 & 61), and accords also with Forcart's application to the Commission. To transfer *Helicella* to the genus containing *Theba pisana* (Müller) would cause dreadful confusion should the strict application of the Rules require it, and the correct generic name for *H. itala* etc. would then be in dispute, Forcart and Winckworth and Ellis differing about this. But my approval does not necessarily extend to the last two items—(5) and (6)—on p. 308, which concern another matter of less importance which I have not studied but which I think would have been better omitted from this application.

10. No objection received : No objection to the use of the Plenary Powers as proposed in this case was received from any source.

11. Representations submitted by Mr. Hugh Watson regarding the gender to be attributed to the generic name "Oxychilus" Fitzinger, 1833 : On 23rd February 1955, Mr. A. E. Ellis (one of the co-applicants in the second of the applications submitted in the present case) transmitted to the Office of the Commission the following extract from a letter dated 21st February received by him from Mr. Hugh Watson (*Cambridge*) on the subject of the gender to be attributed to the generic name *Oxychilus* Fitzinger, 1833, a name which had been treated as being of the neuter gender in the application submitted by Mr. Ellis and Mr. Winckworth :—

In this application to the Commission about the retention of *Helicella* it is rather surprising to find a paragraph on the gender of *Oxychilus* (p. 306, paragraph 9) and that this paragraph contains no reference to the argument I expressed about this matter in *J. Conchol.* 22 : 45—46 (1934). This argument of mine was based on correspondence, extending over several years, with Tomlin, who insisted that if an author employed classical usage in forming a name like this it would be masculine, for the reason I indicated in my note ; and he said that Dr. A. H. Cooke, who was an able classical scholar, agreed with him about this. My own knowledge of classics is more limited, but I could find no good reason to suppose that Tomlin and Cooke—and therefore Fitzinger—were not probably right. And I see that Pilsbry appears to accept this view, although he does not accept my view about retaining *Helicella* for *ttala*, unfortunately. It is true that on p. 51 of the Copenhagen Decisions it is recommended that words from the Greek ending in " *cheilus* " should be regarded as neuter ; but it is also recommended on the same page that these matters should be referred to the classical advisers of the Commission and modified in the light of their advice. I venture to think, therefore, that Tomlin and Cooke's argument that I have briefly expressed should be brought to the notice of the Commission, for them to obtain the opinion of their Classical Adviser about it, before they decide about the gender of *Oxychilus*. Perhaps you may be able to see that this is done.

Extract from the paper in the " Journal of Conchology " referred to above :—

This author [A. S. Kennard, 1941, *J. Conchol.* 21 : 271] treats the name *Oxychilus* Fitz. as if it were of the neuter gender, but Fitzinger himself undoubtedly regarded it as masculine, for in the

two cases in which he combined an adjective with this name he wrote *Oxychilus lucidus* and *Oxychilus nitidulus* *. In treating the name as masculine Fitzinger appears to have correctly followed the classical usage. When an adjective like οξύς sharp, is combined with a substantive like χείλος a lip, in classical usage we expect the resultant word to be an adjective and not a substantive—in this case it would be *Oxychilus -a -um* when turned into Latin. And of course the masculine form of this adjective might be used as substantive. The name would then mean the “sharp lipped one” and not simply “the sharp lip”, as it would have done had it been neuter. Modern authors often depart from classical usage in matters of this kind, but as Fitzinger did not do so there seems to be no justification for this change.

12. Advice as to the gender attributable to the generic name “Oxychilus” Fitzinger, 1833, received from Professor the Rev. L. W. Grensted, Consulting Classical Adviser to the International Commission : On 29th March 1955, Mr. Hemming, as Secretary, invited Professor the Rev. L. W. Grensted, Consulting Classical Adviser to the International Commission, to furnish a Report on the gender attributable to the generic name *Oxychilus* Fitzinger, 1833. On 15th April 1955, Professor Grensted submitted the following Report confirming the view expressed by Mr. Hugh Watson (paragraph 11 above) that the gender properly attributable to the foregoing name was the masculine gender :—

In answer to your letter of 29th March 1955 about the points raised by A. E. Ellis citing Hugh Watson :—

I am afraid that I never looked closely at *Copenhagen Decisions* 84(7)(c)(i), taking it, in spite of its bad phrasing, as a final decision. But since you now ask me to treat it critically I am bound to say that I think it is unsound, and its conclusion wrong—and that Hugh Watson, following Tomlin and A. H. Cooke, is right. The following are the points :

(1) The phrase “by reason of having the termination -os” is nonsense. By far the majority of Greek nouns in -os are masculine.

(2) “-stathus” is not a Greek word as it stands. It represents δτῆθος (stethos) and though derived from it is, in neo-Latin, a coinage.

(3) In all these words the termination -us, though representing the Greek -os, is a Latinization and that seems to bring them under 84(3) and make them masculine.

* This statement is not quite accurate, as Fitzinger also wrote *Oxychilus cellaria*, and thus was inconsistent, as stated on p. 307 of this Application.—A. E. ELLIS.

(4) The most important point of all is that made by Hugh Watson, and his argument can be greatly strengthened. The point is this :— In a word of the form of, say, *Ornithorrhynchus*, the Greek original *ὀρνιθόρρυγχος* would be an adjective and the final -os is not the -os of *ὀρνιθόρρυγχος* but the adjectival termination. I have verified this for a whole series of relevant Greek forms which are actually found in classical Greek, e.g. *μεγαλόδτηθος*, *ἀεύρρυγχος*, *πλατύρρυγχος*, *πληδύγναθος*, *λεπτόραμφος*, *λενκόρυγχος* and, most relevant of all, *λεπτόχειλος* (*Leptocheilus*) which occurs as a variant reading of *λεπτοχέιλης* in Aristotle, *Hist. Anim.* 528a 29. All these would, if used in modern generic nomenclature, give forms ending in -us and coming under 84(7)(c)(i). And they should certainly all be masculine, a conclusion which agrees with the obvious intention of 84(3).

There is of course a real confusion with this small group of words, in that the final -os in the Greek form makes the adjectival termination indistinguishable from the neuter -os termination of the noun. But I don't think the argument for a neuter gender in these cases can properly be sustained.

P.S. There is nothing to distinguish these forms from such names as *Conosomus* (from *σῶμα*) which is certainly masculine [84(3)].

13. Bibliographical References for the family-group name "HELICELLINAE" : On 28th March 1955, Dr. Lothar Forcart (*Naturhistorisches Museum, Basel, Switzerland*) addressed the following letter to the Secretary to the Commission, drawing attention to a bibliographical reference for the family-group name HELICELLINAE of older date than that cited by Mr. Ellis and Mr. Winckworth in the application submitted by them to the Commission (paragraph 2 above) (Forcart, 1955, *Bull. zool. Nomencl.* **11** : 264) :—

On pages 307 and 308, you supposed Schlesch, 1927 (*Korresp. Bl. Naturf.-Ver. Riga* **59** : 116) to be the author of HELICELLINAE. Schlesch is not the author of this subfamily, but Hesse in 1926 in "Beiträge zur genaueren Kenntnis der Subfamilie Helicellinae" (*Arch. Moll.* **58**(3) : 115, published 1st May 1926).

14. Rectification of a minor omission in the summary given by Mr. Ellis and Mr. Winckworth in paragraph 11 of their application to the Commission : On 10th July 1955, Mr. Hemming placed on the Commission's File Z.N.(S.) 214, the following Minute drawing attention to a minor omission in the summary given by

Mr. Ellis and Mr. Winckworth in paragraph 11 of their application to the Commission (paragraph 2 above), the purpose of this Minute being to place this matter on record in anticipation of the issue of a Voting Paper to the Commission in connection with the foregoing application :—

**Rectification of a minor omission in the summary given in
paragraph 11 of the application submitted by Mr. A. E.
Ellis and Mr. R. Winckworth in regard to the
generic name “*Helicella*” Férussac, 1821**

By FRANCIS HEMMING, C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

I have this day re-examined the applications in regard to the generic name *Helicella* Férussac, 1821, submitted respectively by Dr. Lothar Forcart and by Mr. A. E. Ellis and Mr. R. Winckworth in anticipation of the preparation of a Voting Paper for submission to the Commission. In doing so, I have noted a minor omission in the summary given in paragraph 11 of the application submitted by the last-mentioned authors, to which it will be necessary to draw special attention in the notes accompanying the foregoing Voting Paper when issued.

2. In their application the above authors refer (paragraph 2) to the generic name *Euparypha* Hartmann, 1844, the type species of which by monotypy is the nominal species *Helix rhodostoma* Draparnaud, [1801]. Later in the same paper (paragraph 6) the name *Euparypha* Hartmann is dismissed as a junior synonym of *Theba* Risso. It was not stated clearly whether this synonymy was subjective or objective and, when discussing this case with Mr. Ellis prior to its publication in the *Bulletin*, I had concluded that it was subjective only. I now find, however, that the name *Helix rhodostoma* Draparnaud is no more than a replacement name for *Helix pisana* Müller (O.F.), 1774, the name of the type species of *Theba* Risso. Thus, although the nominal genera *Theba* Risso, 1826, and *Euparypha* Hartmann, 1844, have different nominal species as their respective type species, those nominal species are based upon the same type specimen and in consequence the foregoing generic names are objective synonyms of one another. The name *Euparypha* Hartmann and also the name *rhodostoma* Draparnaud, the name of the type species of *Euparypha* Hartmann, are thus seen to be objectively invalid and should now be placed on the appropriate *Official Indexes of Rejected and Invalid Names in Zoology*.

15. Explanatory Note annexed to the Voting Paper prepared for issue in the present case : On 21st July 1955, Mr. Hemming prepared the Voting Paper to be issued in the present case and added the following as Note 4 to be issued therewith :—

Three minor corrections :—(1) *Euparypha* Hartmann, 1844 (a junior objective synonym of *Theba* Risso, 1826) : The proposed addition of this name to the *Official Index of Rejected and Invalid Generic Names in Zoology* was inadvertently omitted in the application as printed. (2) The gender for *Oxychilus* was given incorrectly in the application (: 307) as neuter but it should be masculine (*J. Conch.* 22 : 45—46). The Consulting Classical Adviser fully supports this view. (3) Forcart (11 : 264) provides an earlier reference for the name HELICELLINAE.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

16. Issue of Voting Paper V.P.(55)8 : On 5th August 1955 a Voting Paper (V.P.(55)8) was issued in which the Members of the Commission were invited to vote either for, or against, “ the proposal relating to the generic name *Helicella* Férussac, 1821, as set out in paragraph 11 on pages 307 and 308 of Volume 9 of the *Bulletin of Zoological Nomenclature* ”, [i.e. in the paragraph numbered as above of the application by Mr. Ellis and Mr. Winckworth reproduced in paragraph 2 of the present *Opinion*], “ subject to the three minor adjustments specified in Note 4 ” [i.e. the Note reproduced in paragraph 15 above].

17. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 5th November 1955.

18. Particulars of the Voting on Voting Paper V.P.(55)8 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(55)8 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-three (23) Commissioners (arranged in the order in which Votes were received) :*

Bodenheimer ; Holthuis ; Riley ; Vokes ; Stoll ; Hering ; Bradley (J.C.) ; Lemche ; Prantl ; Hankó ; Mayr ; do Amaral ; Esaki ; Kühnelt ; Dymond ; Key ; Mertens ; Bonnet ; Hemming ; Jaczewski ; Miller ; Sylvester-Bradley ; Cabrera ;

(b) *Negative Votes :*

None ;

(c) *Voting Papers not returned, two (2) :*

Boschma¹ ; Tortonese¹.

19. Declaration of the Result of Vote : On 6th November 1955, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(55)8, signed a Certificate that the Votes cast were as set out in paragraph 18 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

¹ After the close of the Prescribed Voting Period a late affirmative Vote was received from Commissioner Boschma and from Commissioner Tortonese.

20. Preparation of the Ruling given in the present "Opinion" :
On 17th May 1956, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(55)8.

21. Original References : The following are the original references for the generic and specific names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

cartusiana, Helix, Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.*
2 : 15

cellaria, Helix, Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.*
2 : 28

Euparypha Hartmann, 1844, *Erd. u. Süßwasser-Gasteropoden* : 204

Helicella Lamarck, 1812 (a cheironym cited by Chenu, 1859,
Manuel Conchyliol. 1 : 421)

Helicella Férussac, 1821, *Tabl. syst. Anim. Moll. suiv. Prodr. gén.*
Moll. terrestr. fluviat. viv. foss. : 28 (issued in parts with Férussac's
Hist. nat. gén. partic. Moll. terrestr. fluviat.)

itala, Helix, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 772

Jacosta Gray (J.E.), March 1821, *London med. Repository* 15 : 239

Monacha Fitzinger, 1833, *Beitr. z. Landesk. Oesterreichs unter d.*
Enns 3 : 95

Oxychilus Fitzinger, 1833, *Beitr. z. Landesk. Oesterreichs unter*
d. Enns 3 : 100

pisana, Helix, Müller (O.F.), 1774, *Verm. terrestr. fluviat. Hist.*
2 : 60

Planatella Clessin, 1876, *Deutsch. Excursions Mollusken-Fauna* :
143

rhodostoma, *Helix*, Draparnand, [1801], *Hist. nat. Moll. terr. fluviat. France* : 86

Theba Risso, 1826, *Hist. nat. princ. Productions Europ. mérid.* **4** : 73

Xerophila Held, 1837, Oken's *Isis* **30**(12) : 913

21. The following are the references for the selection of the type species of the genera specified in the Ruling given in the present "Opinion" :—

For *Monacha* Fitzinger, 1833 : Gray (J.E.), 1847, *Proc. zool. Soc. Lond.* **15** : 173

„ *Oxychilus* Fitzinger, 1833 : Herrmannsen, 1847, *Indic. Gen. Malacoz. Primordia* **2** : 183

„ *Theba* Risso, 1826 : Gray (J.E.), 1847, *Proc. zool. Soc. Lond.* **15** : 173

23. The following are the original references for the family-group names placed on the "Official List" and "Official Index" established for the recording of the names of taxa belonging to the family group category :—

HELICELLINAE Chenu, 1859, *Manuel Conchyliol.* **1** : 421

HELICELLINAE Hesse, 1926, *Arch. Moll.* **58**(3) : 115

24. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

25. The present *Opinion* shall be known as *Opinion* Four Hundred and Thirty-One (431) of the International Commission on Zoological Nomenclature.

DONE in London, this Seventeenth day of May, Nineteen Hundred and Fifty-Six.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING